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Letter dated 28 March 2014 from the Permanent Representative of Morocco to the United Nations addressed to the President of the Security Council

I have the honour to transmit herewith a copy of the letter from the Minister for Foreign Affairs and Cooperation of the Kingdom of Morocco, Mr. Salaheddine Mezouar, addressed to the Secretary-General of the United Nations, on the issue of the Moroccan Sahara (see annex).

I should be grateful if you would have the present letter and its annex circulated as documents of the Security Council.

(*Signed*) Mohammed **Loulichki**
Ambassador
Permanent Representative

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A few weeks hence, the Security Council is going to decide on the renewal of the mandate of MINURSO and provide impetus to the quest for a political solution to the regional dispute over the Sahara.

You are aware of the importance my country attaches to a negotiated political settlement of this dispute, which has for so long impeded the building of a Maghreb that is unified, prosperous and able to respond to the security challenges that threaten it.

You are familiar as well with Morocco's efforts and initiatives to move the United Nations-sponsored political process forward.

It is in this spirit that my country has hosted your Personal Envoy, Mr. Christopher Ross, during his three visits to the region since April 2013 to launch a new approach based on discreet and confidential contacts with the parties in order to establish conditions conducive to the resumption of negotiations.

The efforts of the Personal Envoy are laudable and worthwhile, and they enjoy the full support of Morocco. However, for them to have a favourable outcome, the parties must be realistic and demonstrate a spirit of compromise. The substance of the Personal Envoy's approach must be backed by the political will of all stakeholders to contribute constructively and responsibly to its success. Through its significant and considerable contribution to the success of this new approach by the Personal Envoy, Morocco has demonstrated such political will. The other parties must demonstrate a similar degree of commitment.

Since adoption by the Security Council of resolution 2099 (2013), Morocco has met all of its commitments and taken measures that go far beyond those the Security Council has recommended.

1. Morocco has met its human rights commitments

In its resolution 2099 (2013), the Security Council welcomed the steps taken by Morocco to strengthen the National Council on Human Rights and the ongoing interaction with Special Procedures of the United Nations Human Rights Council.

During the past year, Morocco's efforts in this area have continued and been stepped up.

Implementation on the ground of the report of the Economic, Social and Environmental Council on the new development model for the southern provinces has begun, a process that also includes good governance and local democracy parameters such as those contained in the Moroccan initiative for negotiating an autonomy statute for the Sahara region.

Based on its ongoing interest in strengthening the role and effectiveness of the National Council on Human Rights, the Government of Morocco announced, on 13 March 2014, a decision to address all grievances filed by the Council, and in particular those from its two Commissions in Laayoune and Dakhla, within no more than three months. Along the same lines, focal points will be established in the

relevant ministerial departments with a view to facilitating cooperation with the Council and expediting consideration of grievances.

Interaction with the special procedures has been ongoing; since last April, Morocco has hosted the Special Rapporteur on trafficking in persons and the Working Group on Arbitrary Detention. Morocco has also declared its readiness for another visit by the United Nations Special Rapporteur on torture in order to consider measures taken in that sphere.

The frequency of visits to Morocco by the special procedures is without precedent in the region and in the history of the Human Rights Council. Moreover, in May, Morocco will submit its implementation report on the 140 recommendations accepted during the 2012 universal periodic review out of the 148 recommendations made.

And finally, it is my pleasure to announce that Morocco will in the near future deposit instruments of ratification for the Optional Protocol to the Convention against Torture.

Motivated by that same desire to continue productive cooperation with the United Nations human rights mechanisms, Morocco has extended an invitation to United Nations High Commissioner for Human Rights Navi Pillay to visit Morocco. Advanced contacts in this regard are under way with the Office of the High Commissioner.

These sustained efforts aimed at strengthening the promotion and protection of human rights nationwide are part of an approach led and fostered by His Majesty the King.

In that same vein, the Cabinet Council and the Council of Ministers have adopted a draft law on military courts that will be submitted to Parliament during its April session.

Under this draft law, which aims to strengthen the independence of the justice system and align the national legislative framework with international human rights treaties and conventions ratified by our country, civilians may no longer be tried in military courts.

2. Census of the population of the Tindouf camps

It must be noted once again that there has been no follow-up to the call by the Security Council, issued again last year, for registration of the populations of the camps of Tindouf. As the host country, Algeria must assume its responsibilities in accordance with international law. This humanitarian tragedy, unfolding in close proximity to borders that are tightly sealed, cannot be permitted to drag on indefinitely, preventing the Office of the United Nations High Commissioner for Refugees from discharging its statutory mandate. With regard to the fact that no census has been conducted, the credibility of the United Nations and, most especially, that of the international community, are at stake. Your report to the Security Council and the resolution to be adopted must take note of the utter lack of progress on that issue.

3. The political process

Morocco has shown yet again its desire to meet its commitments. It has advocated unceasingly for decisive participation by all parties in a substantial negotiation process. Morocco's initiative for an autonomy statute, the basis for the political process now taking place under your auspices, is indicative of Morocco's resolve to proceed in strict accordance with the parameters set by the Security Council, particularly with regard to the need to demonstrate flexibility and a spirit of compromise.

The political will of the parties and their genuine commitment must be put to the test of reality and the parties' specific actions.

Your report to the Security Council in April must, in its content, tone and recommendations, give due weight to the above measures taken by Morocco, while also creating all necessary conditions to step up the political process being carried out by your Personal Envoy. To be successful, this political process, which has Morocco's full support, must be conducted in a manner both serene and sustainable, so that the work of your Personal Envoy will be lasting in nature.

Morocco will, for its part, continue its constructive and responsible contributions to the success of this political process, a process requiring a similar degree of commitment from all of the parties to the dispute.

(*Signed*) Salaheddine **Mezouar**